

Voluntary Report – Voluntary - Public Distribution

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Report Name: WTO Notification on Plant and Plant Products

Country: Morocco

Post: Rabat

Report Category: WTO Notifications, FAIRS Subject Report

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Report Highlights:

Morocco notified G/SPS/N/MAR/85 on June 10, 2022. An unofficial translation is included in this report. Comments are due no later than August 9, 2022. The notification concerns plants, plant products and other objects.

Kingdom of Morocco

*Ministry of Agriculture, Maritime Fisheries,
Rural Development and Water and Forests*

For countersignature:

**The Minister of Agriculture, Maritime Fisheries,
Rural Development and Waters and Forests**

**Draft decree n° of (.....) laying down the procedures for
monitoring and phytosanitary control of plants, plant products
and other objects.**

Head of government,

Having regard to [Law n° 76-17 relating to the protection of plants](#), promulgated by Dahir n° 1-21-66 of Hija 3, 1442 (July 14, 2021), in particular its articles 6, 26, 27, 28, 33, 34, 35, 36, 37, 38, 39, 41, 44, 47, 49, 52, 53;

Having regard to [Law n° 25-08 establishing the National Food Safety Office](#), promulgated by Dahir n° 1-09-20 of Safar 22, 1430 (February 18, 2009), in particular its article 2;

After deliberation in the Government Council meeting on (.....),

Decree:

CHAPTER ONE: GENERAL PROVISIONS

FIRST ARTICLE: The purpose of this decree is to set the technical conditions and methods for the monitoring and plant health control, plant products and other objects provided for by the Law n° 76-17 concerning plant protection.

ARTICLE 2: The monitoring and plant health control, plant products and other objects referred to in Article 1 above are carried out by the competent services of the National Food Safety Office ONSSA (the Office) in accordance with the provisions of Article 2 of the Law n° 25-08, according to the programs, protocols and methodologies commonly accepted in this matter.

CHAPTER II: PHYTOSANITARY MONITORING

ARTICLE 3: The declaration provided for in Article 26 of the Law n° 76-17 must be made according to the model available on the website of the Office or by any other means provided by this Office for this purpose.

This declaration contains the identification details of the declarant, the location of the place or places where the presence of the harmful pest is observed or suspected and the plants, plant products or other objects concerned, and, if applicable, any other relevant information related to the pest.

ARTICLE 4: As soon as the declaration referred to above has been received, and for the purpose of carrying out the necessary investigations provided for in Article 27 of the aforementioned Law n° 76-17, the agents of the competent services of the Office survey the elements provided to support the declaration and, if necessary, travel to the places mentioned and, where appropriate, to the places, premises and facilities located near or having a link with the suspected harmful pest.

ARTICLE 5: The geographical delimitation of the protected areas provided in the Article 33 of the Law n° 76-17 is made following phytosanitary surveys carried out by the competent services of the Office in the target areas. These phytosanitary surveys consist of the visual observation of plants, plant products or other objects for the propose of finding the harmful pests involved, and when appropriate, taking samples from plants, plant products or other objects for analysis.

The governmental authority in charge of agriculture fixes, by decree, lay down special monitoring and phytosanitary control measures, in particular, the prohibition of the introduction of the harmful pests concerned as well as the plants, plant products or other objects hosting or likely to host such pests in order to maintain the free status of such areas.

The lists of protected areas are fixed by the Office and published on the Office's website.

ARTICLE 6: The governmental authority in charge of agriculture fixes, by order, for one or more harmful pests:

- The conditions and technical procedures for implementing the measures provided for in Articles 27 and 28 of the aforementioned Law n° 76-17 which must be taken;
- The procedures for recognizing, maintaining, and lifting the status of protected area provided for in Article 34 of the aforementioned Law n° 76-17.

- The procedures according to which the investigations provided for in article 4 above are to be conducted as well as the manner in which the minutes relating thereto are to be drawn up.

CHAPTER III: PHYTOSANITARY CONTROL OF PLANTS, PLANT PRODUCTS OR OTHER OBJECTS ON IMPORT, IN TRANSIT AND ON THE NATIONAL TERRITORY

ARTICLE 7: The governmental authority in charge of agriculture fixes, by decree, the terms, and conditions for issuing the import authorization referred to in Article 36 of the Law n° 76-17. The applicant must submit to the competent services of the Office a file comprising papers and documents mentioning, the identification of the applicant and of the recipient of the plant propagating material, the plant species and/or the variety concerned, the quantities and the place of origin.

ARTICLE 8: The phytosanitary inspection provided for in Article 37 of the Law n° 76-17 is carried out at the border posts by agents of the competent services of the Office and includes a documentary control and, if necessary, a physical control of plants, plant products or other objects imported or in transit and an analytical control.

The documentary inspection consists of the examination of the phytosanitary certificates provided for in article 41 of the Law n° 76-17 to ensure their conformity with the provisions provided for in articles 9 and 10 below as well as the documents accompanying the said plants, plant products and other objects.

Physical inspection consists of the visual examination of plants, plant products or other objects to ensure that they:

- Correspond to those mentioned in the above documents.
- Are free from quarantine pests.
- Comply with the regulatory provisions for pests other than quarantine.

Analytical control consists of taking samples and analyzing them in the laboratory to ensure the absence of harmful pests not visible by eye.

ARTICLE 9: The aforementioned phytosanitary certificates must be drawn up in accordance with the models set by the International Plant Protection Convention and meet the requirements of the international standards for phytosanitary measures.

They must be written legibly in Arabic, French or English, using the units of measure of the international system.

ARTICLE 10: Any phytosanitary certificate or re-export phytosanitary certificate must include, in particular, statements that the plants, plant products or other objects:

- Has been inspected and/or tested according to the appropriate official procedures.
- Is free from quarantine pests.
- Complies with phytosanitary requirements, including those for non-quarantine pests.

If one or more additional declarations are required in accordance with the provisions of Article 41 of the Law n° 76-17, these must be mentioned on the phytosanitary certificate in the part reserved for that purpose or on the annexes to that certificate and bearing the same references.

Any certificate must be drawn up, in the country of origin, not later than fourteen (14) days before the date of shipment of the plants, plant products or other objects concerned.

ARTICLE 11: Any phytosanitary inspection gives rise to the establishment, by the competent services of the Office, of a "phytosanitary import inspection certificate" which specifies whether the shipment, following the said phytosanitary inspection, is admitted for import with or without prior treatment or whether it must be rejected or, if necessary, destroyed. This certificate is given to the importer or his agent.

ARTICLE 12: The phytosanitary pass provided for in article 44 of the Law n° 76-17 is issued by the competent services of the Office following the phytosanitary control noting that the plants, plant products or other objects concerned are free from harmful pests and comply with other phytosanitary requirements, where applicable.

ARTICLE 13: Are managed by decree of the governmental authority in charge of agriculture:

- The conditions and procedures for issuing the authorization for the import of plant material including seeds and plants and ornamental plants as well as the terms and conditions for carrying out the assessment of the phytosanitary risks provided for in article 36 of the Law n° 76-17.
- The conditions and procedures for the phytosanitary inspection of plants, plant products and other objects upon import or in transit provided for in Article 38 of the Law n° 76-17.
- The conditions and procedures under which the phytosanitary measures referred to in Article 39 of the Law n° 76-17 are set and implemented.
- The maximum levels of infestation of the plant material imported by non-quarantine pests provided for in article 35 of the Law n° 76-17.
- The list of documents subject to the documentary inspection provided for in Article 7 above.
- The model of the phytosanitary inspection certificate provided for in article 11 above.
- The conditions and procedures for the destruction of plants, plant products or other objects which cannot be rejected or admitted for import or transit, and the model of the destruction report drawn up on this occasion, provided for in Article 39 of the Law n° 76-17.
- The list of plants, plant products or other objects subject to obtaining the pass and the conditions and procedures for issuing and using the phytosanitary pass provided for in article 12 above.
- The conditions and procedures for the seizure and destruction of plants, plant products or other objects in the event of failure to present a pass, provided for in article 44 of the forementioned Law n° 76-17.

CHAPTER IV: PHYTOSANITARY POLICE

ARTICLE 14: The agents of the phytosanitary police commissioned by the Office, referred to in article 49 of the Law n° 76-17 are as follow:

- Plant protection inspection officers, mentioned in article 3 of the law n° 25-08, seconded to the Office.
- The office's plant protection engineers and technicians, who are officials and work in its central or local departments.

ARTICLE 15: To act as reporting agents, the agents referred to in article 14 above take an oath in accordance with the legislation in force relating to the oath of reporting agents. To act as reporting agents, the agents referred to in article 14 above take an oath in accordance with the legislation in force relating to the oath of reporting agents. They must be provided with a clear outfit, when carrying out their duties, a professional card issued by the General Director of the office in accordance with the model fixed by order of the government authority responsible for agriculture, allowing their identification and that of the service to which they are attached. These agents draw up the report of the infringement which they observe as well as the reports of the taking of samples according to the forms and methods fixed by order of the governmental authority in charge of agriculture.

CHAPTER V: MISCELLANEOUS PROVISIONS

ARTICLE 16: The compensation provided for in Article 47 of the Law n° 76-17 may only be granted to operators who have complied with the phytosanitary measures prescribed by the agents of the competent services of the office in accordance with the provisions of this decree.

ARTICLE 17: The Minister of Agriculture, Maritime Fisheries, Rural Development and Waters and Forests is responsible for the execution of this decree which will be published in the Official Bulletin.

Done in Rabat on (.....).

The head of government

Attachments:

[NMAR85.pdf](#)

[Draft decree 22_4017_00_phytosanitary_of_plant_products-Fr.pdf](#)